

SENATE BILL 3086

By McNally

AN ACT to amend Tennessee Code Annotated, Title 8,  
Chapter 44, Part 1, relative to public meetings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-44-108(b), is amended by adding the following language as a new subdivision:

(4) Nothing in this section shall prohibit a governing body from complying with § 8-44-109.

SECTION 2. Tennessee Code Annotated, Title 8, Chapter 44, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 8-44-109.

(a) A governing body may, but is not required to, allow electronic communication between members by means of computer conferencing on the Internet, or internet relay chat ("IRC"), only if such governing body:

(1) Makes the website through which such electronic communication is conducted available for viewing by the public at all times other than that necessary for technical maintenance or unforeseen technical limitations of the website;

(2) Provides adequate public notice of the availability of the governing body's intended use of the IRC;

(3) Controls who may communicate through the IRC; and

(4) Controls the archiving of such electronic communications to ensure that such electronic communications are publicly available for at least one (1) year after the date of the communication; provided, that access to such archived electronic communications is user-friendly for the public.

(b) Any communication between members of a governing body in compliance with this section or for the sole purpose of scheduling electronic communication through an IRC in compliance with this section is exempt from the provisions of the Open Meetings law compiled in this part.

(c) No member participating in an electronic communication complying with this section is deemed to be eligible for per diem for such participation.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.